

EXHIBIT 5

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A nationwide sampling of law firm billing rates

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The National Law Journal asked the respondents to its 2007 survey of the nation's 250 largest law firms to provide a range of hourly billing rates for partners and associates. The firms that supplied this information — including some firms that are not in the NLJ 250 — are listed below in alphabetical order. We also asked firms to provide average and median billing rates, and several complied. The number after a firm's name indicates the total number of attorneys at the firm. The city listed below the name of a firm is the location of its principal or largest office.

A-F G-I M-R S-W

Adams and Reese (256)
(New Orleans)

Partners \$225-\$500 (average \$305) (median \$300)
Associates \$165-\$255 (average \$198) (median \$197)
Firmwide (average \$278) (median \$275)

Andrews Kurth (396)
(Houston)
Partners \$400-\$795
Associates \$210-\$460

Arent Fox (329)
(Washington)
Partners \$395-\$675
Associates \$240-\$440

Armstrong Teasdale (279)
(St. Louis)
Partners \$295-\$450
Associates \$165-\$295

Baker, Donelson, Bearman, Caldwell & Berkowitz (523)
(Memphis, Tenn.)
Partners \$230-\$525 (average \$325) (median \$320)
Associates \$160-\$315 (average \$205) (median \$200)
Firmwide (average \$260) (median \$270)

Barnes & Thornburg (440)
(Indianapolis)
Partners \$265-\$485 (average \$350) (median \$355)
Associates \$180-\$295 (average \$225) (median \$220)
Firmwide (average \$302) (median \$310)

Bass, Berry & Sims (217)
(Nashville, Tenn.)
Partners \$300-\$575

Associates \$180-\$285

Best Best & Krieger (195)

(Riverside, Calif.)

Partners \$290-\$495 (average \$275) (median \$390)
Associates \$160-\$350 (average \$203) (median \$235)
Firmwide (average \$212) (median \$265)

Bond, Schoeneck & King (167)

(Syracuse, N.Y.)

Partners \$200-\$435 (average \$294) (median \$205)
Associates \$140-\$250 (average \$179) (median \$175)
Firmwide (average \$253) (median \$300)

Bradley Arant Rose & White (242)

(Birmingham, Ala.)

Partners \$240-\$520 (average \$335) (median \$230)
Associates \$180-\$280 (average \$211) (median \$205)
Firmwide (average \$258) (median \$260)

Briggs and Morgan (178)

(Minneapolis)

Partners \$250-\$500 (average \$391) (median \$395)
Associates \$195-\$325 (average \$233) (median \$230)
Firmwide (average \$344) (median \$350)

Brinks Hofer Gilson & Lione (158)

(Chicago)

Partners \$300-\$650 (average \$479) (median \$465)
Associates \$180-\$410 (average \$273) (median \$250)
Firmwide (average \$365) (median \$350)

Broad and Cassel (175)

(Orlando, Fla.)

Partners \$250-\$450 (average \$361) (median \$350)
Associates \$155-\$310 (average \$232) (median \$225)
Firmwide (average \$296) (median \$275)

Brownstein Hyatt Farber Schreck (177)

(Denver)

Partners \$260-\$675 (average \$373) (median \$390)
Associates \$170-\$270 (average \$219) (median \$217.5)
Firmwide (average \$308) (median \$325)

Bryan Cave (847)

(St. Louis)

Partners \$320-\$695 (average \$493) (median \$490)
Associates \$165-\$495 (average \$295) (median \$295)
Firmwide (average \$394) (median \$375)

Buchanan Ingersoll & Rooney (561)

(Pittsburgh)

Partners \$320-\$750
Associates \$150-\$160

Bullivant Houser Bailey (160)

(Portland, Ore.)

Partners \$225-\$500 (average \$285) (median \$275)
Associates \$150-\$350 (average \$240) (median \$220)
Firmwide (average \$260) (median \$250)

Burr & Forman (182)

(Birmingham, Ala.)

Partners \$250-\$470 (average \$340)

Associates \$175-\$305 (average \$235)

Butzel Long (232)
(Detroit)
Partners \$210-\$575
Associates \$155-\$350

Carlton Fields (259)
(Tampa, Fla.)
Partners \$280-\$600 (average \$406) (median \$405)
Associates \$190-\$375 (average \$243) (median \$245)
Firmwide (average \$312) (median \$300)

Cooley Godward Kronish (567)
(Palo Alto, Calif.)
Partners \$170-\$875
Associates \$250-\$555

Covington & Burling (608)
(Washington)
Partners \$510-\$800
Associates \$240-\$525

Cozen O'Connor (476) (Philadelphia)
Partners \$230-\$750 (average \$420) (median \$425)
Associates \$155-\$530 (average \$283) (median \$280)
Firmwide (average \$350) (median \$340)

Curtis, Mallett-Prevost, Colt & Mosle (221)
(New York)
Partners \$635-\$735 (average \$666) (median \$685)
Associates \$280-\$560 (average \$361) (median \$360)
Firmwide (average \$396) (median \$490)

Davis Wright Tremaine (449)
(Seattle)
Partners \$300-\$695 (average \$430) (median \$422)
Associates \$170-\$390 (average \$257) (median \$250)
Firmwide (average \$375) (median \$375)

Day Pitney (400)
(Florham Park, N.J.)
Partners \$350-\$650 (average \$472) (median \$465)
Associates \$210-\$525 (average \$306) (median \$310)
Firmwide (average \$374) (median \$375)

Dickinson Wright (234)
(Detroit)
Partners \$260-\$530
Associates \$170-\$275

Dickstein Shapiro (388)
(Washington)
Partners \$125-\$925 (average \$552) (median \$550)
Associates \$225-\$440 (average \$336) (median \$360)
Firmwide (average \$438) (median \$425)

Dinsmore & Shohl (316)
(Cincinnati)
Partners \$235-\$475 (average \$342) (median \$340)
Associates \$155-\$285 (average \$199) (median \$190)
Firmwide (average \$275) (median \$250)

Dorsey & Whitney (649)

2/25/2008

(Minneapolis)
Partners \$220-\$750 (average \$453) (median \$463)
Associates \$145-\$470 (average \$274) (median \$260)
Firmwide (average \$375) (median \$365)

Duane Morris (612)
(Philadelphia)
Partners \$315-\$705 (average \$475) (median \$470)
Associates \$150-\$465 (average \$310) (median \$305)
Firmwide (average \$416) (median \$415)

Dykema Gossett (338)
(Detroit)
Partners \$245-\$625 (average \$403)
Associates \$185-\$390 (average \$272)

Edwards Angell Palmer & Dodge (564)
(Boston)
Partners \$350-\$700 (average \$515) (median \$513)
Associates \$170-\$450 (average \$293) (median \$280)
Firmwide (average \$407) (median \$400)

Epstein Becker & Green (384)
(New York)
Partners \$280-\$675 (average \$471) (median \$475)
Associates \$155-\$440 (average \$290) (median \$280)
Firmwide (average \$380) (median \$395)

Fenwick & West (223)
(Mountain View, Calif.)
Partners \$500-\$775 (average \$590) (median \$600)
Associates \$245-\$500 (average \$360) (median \$370)
Firmwide (average \$395) (median \$410)

Foley & Lardner (1,011)
(Milwaukee)
Partners (average \$550) (median \$550)
Associates (average \$387) (median \$375)
Firmwide \$185-\$855
(average \$476) (median \$475)

Ford & Harrison (190)
(Atlanta)
Partners \$325-\$560
Associates \$210-\$395

Fowler White Boggs Bunker (209)
(Tampa, Fla.)
Partners \$230-\$500 (average \$345) (median \$340)
Associates \$150-\$325 (average \$217) (median \$210)
Firmwide (average \$303) (median \$300)

Fox Rothschild (417)
(Philadelphia)
Partners \$240-\$595
Associates \$190-\$440

Frost Brown Todd (360)
(Cincinnati)
Partners \$225-\$455 (average \$303) (median \$295)
Associates \$145-\$355 (average \$180) (median \$170)
Firmwide (average \$255) (median \$255)

G-L

Gardere Wynne Sewell (284)

(Dallas)

Partners \$350-\$715 (average \$472) (median \$475)

Associates \$220-\$425 (average \$291) (median \$265)

Firmwide (average \$405) (median \$405)

GrayRobinson (205)

(Orlando, Fla.)

Partners \$175-\$500 (average \$319)

Associates \$250 (average \$198)

Firmwide (average \$224)

Greenberg Traurig (1,766)

(New York)

Partners \$300-\$1,000 (average \$490) (median \$500)

Associates \$175-\$505 (average \$311) (median \$310)

Firmwide (average \$407) (median \$415)

Harris Beach (184)

(Rochester, N.Y.)

Partners \$250-\$475

Associates \$140-\$275

Hiscock & Barclay (172)

(Syracuse, N.Y.)

Partners \$220-\$375 (average \$278) (median \$280)

Associates \$160-\$250 (average \$185) (median \$180)

Firmwide (average \$245) (median \$250)

Hodgson Russ (229)

(Buffalo, N.Y.)

Partners \$215-\$645 (average \$337) (median \$350)

Associates \$155-\$395 (average \$219) (median \$205)

Firmwide (average \$254) (median \$250)

Hogan & Hartson (1,092)

(Washington)

Partners \$300-\$850 (average \$600) (median \$590)

Associates \$150-\$525 (average \$385) (median \$370)

Firmwide (average \$490)

Holland & Hart (347)

(Denver)

Partners \$275-\$585 (average \$388) (median \$385)

Associates \$165-\$345 (average \$269) (median \$275)

Firmwide (average \$335) (median \$335)

Holme Roberts & Owen (224)

(Denver)

Partners \$285-\$635 (average \$412) (median \$410)

Associates \$195-\$470 (average \$284) (median \$265)

Firmwide (average \$353) (median \$345)

Howard Rice Nemerovski Canady Falk & Rabkin (114)

(San Francisco)

Partners \$495-\$775

Associates \$275-\$485

Hughes Hubbard & Reed (343)

(New York)

Partners \$595-\$825

Associates \$240-\$560

Husch & Eppenberger (332)
 (St. Louis)
 Partners \$190-\$425 (average \$297) (median \$295)
 Associates \$130-\$260 (average \$179) (median \$175)
 Firmwide (average \$246) (median \$245)

Jackson Lewis (416)
(White Plains, N.Y.)
Partners \$235-\$575
Associates \$210-\$450

Jenner & Block (495)
(Chicago);
Partners \$450-\$900 (average \$562) (median \$325)
Associates \$275-1425 (average \$327) (median \$325)

Jones, Walker, Waechter, Poitevent, Carrère & Denègre (230)
(New Orleans)
Partners \$210-\$600
Associates \$150-\$225

Kelley Drye & Warren (390)
(New York)
Partners \$400-\$800
Associates \$255-\$500

Knobbe, Martens, Olson & Bear (208)
(Irvine, Calif.)
Partners \$340-\$645
Associates \$215-\$420

Lane Powell (175)
(Seattle)
Partners \$300-\$515 (average \$370) (median \$370)
Associates \$205-\$300 (average \$255) (median \$255)
Firmwide (average \$345) (median \$345)

Lathrop & Gage (271)
 (Kansas City, Mo.)
 Partners \$225-\$450 (average \$300) (median \$300)
 Associates \$140-\$300 (average \$185) (median \$185)
 Privately (average \$215) (median \$260)

Leonard, Street and Deinard (199)
(Minneapolis)
Partners \$300-\$500
Associates \$185-\$300

Lewis, Rice & Fingersh (165)
(St. Louis)
Partners \$240-\$425
Associates \$130-\$295

Lindquist & Vennum (174)
(Minneapolis)
Partners \$260-\$500
Associates \$165-\$260

Locke Liddell & Sapp (421)
(Dallas)
Partners \$375-\$900 (average \$488) (median \$490)
Associates \$190-\$390 (average \$261) (median \$280)
Firmwide (average \$399) (median: \$425)

Loeb & Loeb (280)
(Los Angeles)
Partners \$475-\$875 (average \$506) (median \$500)
Associates \$240-\$300 (average \$284) (median \$260)
Firmwide (average \$505) (median \$500)

Lord, Bissell & Brook (290)
(Chicago)
Partners \$335-\$650 (average \$473) (median \$475)
Associates \$200-\$410 (average \$299) (median \$300)
Firmwide (average \$410) (median \$415)

Lownstein Sandler (271)
(Roseland, N.J.)
Partners \$380-\$725
Associates \$205-\$395

Luce, Forward, Hamilton & Scripps (186)
(San Diego)
Partners \$325-\$725 (average \$465) (median \$475)
Associates \$220-\$450 (average \$281) (median \$260)
Firmwide (average \$381) (median \$395)

14-R

Manatt, Phelps & Phillips (320)
(Los Angeles)
Partners \$520-\$785 (average \$600) (median \$590)
Associates \$265-\$480 (average \$395) (median \$415)
Firmwide (average \$518) (median \$550)

Marshall, Dennerley, Warner, Coleman & Gogglin (379)
(Philadelphia)
Partners \$135-\$400
Associates \$120-\$300

McCarter & English (400)
(Newark, N.J.)
Partners \$325-\$650
Associates \$205-\$395

McElroy, Deutsch, Mulvaney & Carpenter (238)
(Morristown, N.J.)
Partners \$295-\$450 (average \$250) (median \$235)
Associates \$135-\$225 (average \$180) (median \$165)
Firmwide (average \$195) (median \$215)

McKee Nelson (224)
(New York)
Partners \$635-\$920 (average \$760) (median \$755)
Associates \$375-\$595 (average \$446) (median \$455)
Firmwide (average \$489) (median \$475)

Michael Best & Friedrich (224)
(Milwaukee)
Partners \$225-\$550 (average \$353) (median \$350)
Associates \$165-\$300 (average \$234) (median \$235)
Firmwide (average \$321) (median \$325)

Miles & Stockbridge (212)
(Baltimore)
Partners \$315-\$535 (average \$397)
Associates \$205-\$405 (average \$266)

Miller, Canfield, Paddock and Stone (378)
(Detroit)
Partners \$265-\$595 (average \$490) (median \$400)
Associates \$160-\$340 (average \$225) (median \$220)
Firmwide (average \$265) (median \$335)

Miller & Martin (185)
(Chattanooga, Tenn.)
Partners \$230-\$580 (average \$336) (median \$340)
Associates \$160-\$295 (average \$201) (median \$195)
Firmwide (average \$305) (median \$320)

Montgomery, McCracken, Walker & Rhoads (136)
(Philadelphia)
Partners \$220-\$575 (average \$419)
Associates \$195-\$320 (average \$260)
Firmwide (average \$360)

Moore & Van Allen (284)
(Charlotte, N.C.)
Partners \$265-\$765
Associates \$175-\$330

Morgan, Lewis & Bockius (1,384)
(Philadelphia)
Partners \$375-\$850
Associates \$200-\$575

Morris, Manning & Martin (170)
(Atlanta)
Partners \$350-\$625 (average \$436) (median \$395)
Associates \$180-\$400 (average \$285) (median \$310)
Firmwide (average \$380) (median \$440)

Naxsen Pruet Adams Kleemeter (171)
(Columbia, S.C.)
Partners \$220-\$420
Associates \$150-\$250

Ogletree, Deakins, Nash, Smoak & Stewart (392)
(Greenville, S.C.)
Partners \$270-\$575 (average \$348)
Associates \$200-\$360 (average \$256)
Firmwide (average \$312)

Patton Boggs (518)
(Washington)
Partners \$320-\$920 (average \$536) (median \$525)
Associates \$205-\$520 (average \$375) (median \$385)
Firmwide (average \$456) (median \$455)

Pepper Hamilton (500)
(Philadelphia)
Partners \$335-\$750
Associates \$200-\$425

Perkins Cole (619)
(Seattle)
Partners \$205-\$805
Associates \$145-\$500

Phelps Dunbar (280)
(New Orleans)
Partners \$170-\$450 (average \$240)

Shughart Thomson & Kilroy (172)
(Kansas City, Mo.)
Partners \$235-\$425
Associates \$160-\$225

Shumaker, Loop & Kendrick (171)
(Toledo, Ohio)
Partners \$200-\$465 (average \$311) (median \$305)
Associates \$190-\$350 (average \$221) (median \$226)
Firmwide (average \$289) (median \$300)

Sills Cummis Epstein & Gross (178)
(Newark, N.J.)
Partners \$250-\$650
Associates \$195-\$275

Smith, Gambrell & Russell (185) (Atlanta)
Partners \$250-\$575
Associates \$175-\$345

Snell & Wilmer (438) (Phoenix)
Partners \$275-\$675 (average \$399)
Associates \$170-\$390 (average \$218)

Steptoe & Johnson PLLC (180)
(Clarksburg, W.Va.)
Partners \$200-\$325
Associates \$170-\$250

Stinson Morrison Hecker (352)
(Kansas City, Mo.)
Partners \$230-\$600 (average \$333) (median \$265)
Associates \$175-\$250 (average \$207) (median \$225)
Firmwide (average \$295) (median \$285)

Stoel Rives (342) (Portland, Ore.)
Partners \$275-\$500 (average \$379) (median \$375)
Associates \$160-\$350 (average \$231) (median \$230)
Firmwide (average \$324) (median \$330)

Strasburger & Price (178) (Dallas)
Partners \$225-\$560 (average \$367) (median \$363)
Associates \$200-\$395 (average \$234) (median \$223)
Firmwide (average \$326) (median \$322)

Sullivan & Worcester (170) (Boston)
Partners \$415-\$700 (average \$550) (median \$540)
Associates \$245-\$420 (average \$309) (median \$290)
Firmwide (average \$348) (median \$340)

Sutherland Asbill & Brennan (511)
(Atlanta)
Partners \$375-\$715 (average \$511) (median \$509)
Associates \$215-\$415 (average \$297) (median \$280)
Firmwide (average \$335) (median \$325)

Thacher Proffitt & Wood (310)
(New York)
Partners \$525-\$785 (average \$574) (median \$700)
Associates \$275-\$495 (average \$353) (median \$365)
Firmwide (average \$426) (median \$395)

Thompson Coburn (320)
(St. Louis)

Partners \$265-\$580
Associates \$170-\$370

Thompson & Knight (414)
(Dallas)

Partners \$370-\$730 (average \$496) (median \$185)
Associates \$705-\$370 (average \$295) (median \$210)
Firmwide (average \$415) (median \$400)

Ulmer & Berne (174)
(Cleveland)

Partners \$240-\$470 (average \$343)
Associates \$165-\$290 (average \$212)
Firmwide (average \$283)

Vedder, Price, Kaufman & Kammerholz (255)
(Chicago)

Partners \$335-\$650 (average \$430) (median \$425)
Associates \$205-\$410 (average \$281) (median \$370)
Firmwide (average \$372) (median \$365)

Wiggin and Dana (146)
(New Haven, Conn.)
Partners \$295-\$590
Associates \$195-\$350

Williams Mullen (314)
(Richmond, Va.)
Partners \$300-\$600
Associates \$205-\$425

Williner Critler Pickering Hale and Dorr (1,051)
(Washington)
Partners \$475-\$1,000
Associates \$215-\$495

Winstead (306)
(Dallas)
Partners \$345-\$620
Associates \$180-\$360

Winston & Strawn (912)
(Chicago)
Partners \$100-\$645 (average \$608
capital partner/\$515 income partner) (median \$640 capital partner/\$585
income partner)
Associates \$200-\$590 (average \$365) (median \$395)
Firmwide (average \$155) (median \$123)

Womble Carlyle Sandridge & Rice (510)
(Winston-Salem, N.C.)
Partners \$290-\$575 (average \$426) (median \$425)
Associates \$195-\$370 (average \$268) (median \$265)
Firmwide (average \$355) (median \$360)